



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**The New York City District Council of
Carpenter's Pension Fund**

Petitioner,

-v-

**John Whyte *doing business as*
KW Construction, Inc.**

Respondent.

Case No. 08-CV-0387(RJS)

ORDER

ECF

RICHARD J. SULLIVAN, District Judge:

The above-entitled action has been assigned to my docket. Accordingly, the parties are hereby ORDERED to appear for a status conference on **July 10, 2008 at 9:30am** in Courtroom 21C of the United States District Court for the Southern District of New York, 500 Pearl Street, NYC.

IT IS HEREBY ORDERED that, by **4pm on June 30**, the parties shall jointly submit a letter, not to exceed five (5) pages, providing, in separate paragraphs:

- (1) A brief statement of the nature of the action and the principal defenses thereto;
- (2) A brief description of all outstanding motions and/or outstanding requests to file motions;
- (3) A list of all existing deadlines and any upcoming conferences that were previously scheduled;
- (4) A brief description of any discovery remaining, specifying that which is necessary for the parties to engage in meaningful settlement negotiations;
- (5) A list of all prior settlement discussions, including the date, the parties involved, and the approximate duration of such discussions, if any;
- (6) The estimated length of trial;
- (7) Any other information that you believe may assist this Court in resolving this action.

In addition, the parties are directed to complete the Case Management plan and Order that can be accessed from my Individual Rules on the SDNY website at http://www1.nysd.uscourts.gov/judge_info.php?id=99 and submit it to the Court not later than **4pm on June 30**.

The status letter and the proposed Case Management plan submitted to the Court pursuant to this Order should be e-mailed directly to my case manager in chambers, at the following e mail address- eileen_levine@nysd.uscourts.gov. Do not file thru ECF. Please consult my Individual Rules with respect to communications with chambers and related matters.

SO ORDERED.

DATED:

New York, New York June 15, 2008

RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE